

**RICHARD J. MA, ESQ.**

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September 8, 2023

**Via ECF and E-Mail**

Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

Re: *United States v. Avree Lamar*  
22 Cr. 635 (KPF)

Dear Judge Failla:

As Your Honor is aware, I am counsel to Mr. Avree Lamar in the above-referenced matter. This correspondence is submitted to request that Mr. Lamar be permitted to attend the funeral of his grandmother, Ms. Carmen Kimbrough.

Ms. Kimbrough unfortunately and suddenly passed away on August 31, 2023. The Certificate of Death is submitted herewith at Exhibit A. The funeral services are scheduled for September 17, 2023, from 2:00 p.m. to 5:00 p.m., at International Funeral Services, located at 4123 Fourth Avenue, Brooklyn, New York. Submitted herewith at Exhibit B are the service details which were provided by Mr. Lamar's family members.

Mr. Lamar is currently detained and housed at the Metropolitan Detention Center in Brooklyn ("MDC"), pursuant to the Court's sentence of 27 months' imprisonment. We are aware that, ordinarily, persons who are sentenced are not afforded the opportunity to attend the funerals of loved ones who unfortunately pass away prior to the satisfaction of jail sentences. Additionally, the government opposes this request. However, because Mr. Lamar's presence is especially important to he and his family, and because of the relatively convenient location of the services relative to MDC and the short period of time for

which this request would apply, it is respectfully requested that the Court permit Mr. Lamar to attend the funeral of his late-grandmother.

Thus, we request that the Court order that the United States Marshal Service escort Mr. Lamar from the Metropolitan Detention Center to the funeral of Carmen Kimbrough, at International Funeral Services on Sunday, September 17, 2023, from 2:00 p.m. to 5:00 p.m., after which Mr. Lamar would be returned to MDC. I have enclosed a proposed Order for the Court's consideration. It is respectfully requested that the Court advise counsel of its decision so that Mr. Lamar and his family may be aware of the Court's decision.

As always, the Court's consideration of this request is greatly appreciated. Should there be any questions or concerns, or if any further information is needed, please contact the undersigned.

*Respectfully submitted.*

*/s/ Richard J. Ma*

Richard J. Ma, Esq.  
Counsel to Avree Lamar

cc via email: A.U.S.A. Jerry J. Fang

Application DENIED. The Court extends its sincerest condolences to Mr. Lamar and his family as to the death of Mr. Lamar's grandmother, Ms. Carmen Kimbrough. Further, the Court regrets that staffing constraints at the U.S. Marshal Service prevent the Court from granting Mr. Lamar's request at this time.

The Court notes that the U.S. Marshal Service has previously expressed amenability to arranging for incarcerated persons to attend funeral services virtually. If Mr. Lamar's family is able to arrange for Mr. Lamar to attend the ceremony virtually, Mr. Lamar is invited to work with MDC personnel to facilitate his participation, and to reach out to the Court if more formal permission is needed.

The Clerk of Court is directed to terminate the motion at docket entry 23.

Dated: September 8, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE